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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,410	09/16/2004	Ling-Wei Ke	MTKP0079USA	5409

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NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION
P.O. BOX 506
MERRIFIELD, VA 22116

EXAMINER

COX, CASSANDRA F

ART UNIT	PAPER NUMBER
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2816

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	03/13/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 03/13/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/711,410

Applicant(s)

KE, LING-WEI

Examiner

Cassandra Cox

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-51 is/are pending in the application.
- 4a) Of the above claim(s) 22 and 43 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 14-21, 23-42 and 44-50 is/are allowed.
- 6) ☒ Claim(s) 1-13 and 51 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Applicant's arguments filed 01/22/07 with respect to claims 1-2 have been fully considered but they are not persuasive. The rejection is repeated below. All other rejections have been overcome by applicant's amendments.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1-13 and 51 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claim 1 recites in lines 9-10 "in response to a reset signal by returning each cell into a predetermined respective state". There does not appear to be any support in the specification for this new limitation. Applicant argues in remarks filed on 01/22/07 at page 41 lines 17-19 that the support for this limitation is "shown in Fig. 9 of the specification, the outputs of two upper flip-flops are set to logic 1 by the reset signal (Rs), where the logic 1 set by the reset signal (Rs) is the respective predetermined state for the two upper flip-flops, and said predetermined state is independent of the divisor signal (Di) state." This is in contrast with the specification page 15 [Para 66] which discloses that the first flip-flop outputs a logic 0 at output Fo when the reset signal is active. Correction or clarification is required.

Claims 2-13 and 51 are also rejected due to the limitations of the independent claim and any intervening claims.

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 51 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 51 is indefinite because it is not clear to the examiner if the step of reloading the plurality of divisor signals is done in response to a separate reload signal as disclosed in claim 3 (and applicant's arguments filed 01/22/07, page 41, lines 17-19) or if it is done in response to the reset signal as disclosed in claim 51. If it is done in response to the reset signal, then this contradicts applicant's statements in the remarks filed 01/22/07, wherein applicant states that "the reload operation and reset operation are triggered by two different signals". Applicant's remarks filed on 01/22/07, with respect to claim 51, fail to provide further clarification as applicant refers to claim 51 as being dependent on both claims 2 and 3. Correction or clarification is required.

Allowable Subject Matter

6. Claims 14-21, 23-42, and 44-50 are allowed.

7. The following is a statement of reasons for the indication of allowable subject matter: Claims 10-12, and 21 would be allowable because the closest prior art of record fails to disclose a method utilizing a control circuit coupled to each of the plurality of cells for providing a reset signal in combination with the rest of the limitations of the

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base claims and any intervening claims. Claims 25, 28, 31, 47, and 50 would be allowable because the closest prior art of record fails to disclose a circuit as shown in Figure 8 wherein the reload signal (RI) is provided by the second output node of the last cell of the fourth/tenth type (Fout) in combination with the rest of the limitations of the base claims and any intervening claims. Claims 15-16, 18, 20, 23-24, 27, 30, 44-46, and 49 would be allowable because the closest prior art of record fails to disclose a circuit as shown in Figure

8. The following is an examiner's statement of reasons for allowance: Claims 14-21 are allowed because the closest prior art of record fails to disclose a circuit wherein the reset signal is provided by a control circuit in combination with the rest of the limitations of the base claims and any intervening claims. Claims 23-24 and 44-46 are allowed because the closest prior art of record fails to disclose a circuit as shown in Figure 12 wherein the circuit operates as called for in the claims in combination with the rest of the limitations of the base claims and any intervening claims. Claims 25-31 and 47-50 are allowed because the closest prior art of record fails to disclose a circuit as shown in Figure 8 wherein the reload signal (RI) is provided by the second output node of the last cell of the fourth/tenth type (Fout) in combination with the rest of the limitations of the base claims and any intervening claims. Claims 32-42 would be allowable because the closest prior art of record fails to disclose a circuit as shown in Figure 12 wherein the divider has a reset node (Rs) and a reload node (RI) in combination with the rest of the limitations of the base claims and any intervening claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cassandra Cox whose telephone number is 571-272-1741. The examiner can normally be reached on Monday-Thursday from 7:00 AM to 4:30 PM and on alternate Fridays from 7:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Callahan can be reached on 571-272-1740. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cassandra Cox

March 5, 2007